

JASON M. FRIERSON
United States Attorney
Nevada Bar No. 7709
KIMBERLY M. FRAYN
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
Telephone: 702.388.6336
Kimberly.Frayn@usdoj.gov
Attorneys for the United States

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBERT SMITH,

Defendant.

Case No. 2:11-CR-00036-JCM-PAL

**Stipulation To Vacate Supervised
Release Revocation Hearing**

(First Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defendant and Jacquelyn N. Witt, Assistant Federal Public Defender, counsel for Robert Smith, ("Smith"), that the supervised release revocation hearing in the abovementioned case, which is currently scheduled for April 26, 2023 at 10:00 a.m., be vacated for the following reasons:

1. Probation Officer Brianna King advised undersigned counsel on April 21, 2023 that Smith continues to be in absconder status and Officer King is unable to contact

1 him. An arrest warrant for absconding remains outstanding against Smith, which makes
2 it unlikely that Smith will voluntarily appear at the April 26, 2023 revocation hearing.

3 2. The parties jointly ask the Court to vacate the supervised release revocation
4 hearing until Smith can be located. This request is made in furtherance of judicial
5 economy so that the Court can use the time currently scheduled for the April 26
6 revocation hearing for a more productive purpose.

7 5. The request to vacate the hearing herein is not sought for purposes of
8 delay, but merely to allow the defendant to be located either by his arrest or by his
9 voluntary contact with defense counsel or Officer King.

10 DATED this 31st day of April 21, 2023.

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12 RENE L. VALLADARES
Federal Public Defender

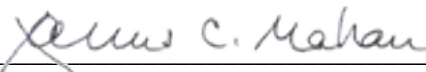
JASON M. FRIERSON
United States Attorney

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14 */s/ Jacquelyn N. Witt*
By _____
15 JACQUELYN N. WITT
16 Assistant Federal Public Defender

/s/ Kimberly M. Frayn
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

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19 **IT IS SO ORDERED.**

20 Dated April 21, 2023.

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23 HONORABLE JAMES C. MAHAN
24 UNITED STATES DISTRICT JUDGE
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